

Development of criminal law in the Czech lands in the 18th century

Resume

My thesis deals with the criminal law of the 18th century in our country. The 18th century Enlightenment philosophy and criminal law beccarian revision created significant changes in criminal law. The thesis has six chapters plus an introduction and conclusion.

The introduction explains the terminology used and the theoretical and philosophical bases of what the interpretation is based on, for example: the Enlightenment, criminal law, the influence of the Enlightenment on the transformation in the 18th century.

Chapter One explains the development of criminal law until the 18th century.

Chapter Two is broken down into 4 sections of analysis and then illustrates the applicable codes of the criminal law in the first half of the 18th century. Part One deals with the codification of the city Rights of 1579, designed by Paul Christian of Koldin. Part Two contains a brief description of the criminal law codification of the law of the noble - Renewal of the Earth's establishment in 1627. Part Three deals with the first attempt to unify criminal provisions, but mainly the procedural nature of the Constitutio Criminalis Josephine in 1707. Part Four contains an analysis of Maria Theresa in 1768, which was the culmination of the feudal concept of criminal law.

Chapter Three focuses on the development of criminal law in the second half of the 18th century, after the Beccaria file of crimes and punishments. The chapter contains two sections. Part One describes the turning point of Joseph II of the Penal Code. from 1787. Part Two the Penal Code deals with the analysis of Francis I of 1803.

Chapter 4 discusses the development of criminality in certain categories of crimes, and for example, where you can illustrate the process of decriminalization of certain acts in consequence of the Enlightenment secularization. Part One deals with the

development of criminalizing offenses against God. Part Two focuses on the development of criminality with regard to sex offenses.

Chapter 5 gives a presentation of the development of criminal procedure, focusing on method of investigation by torture and its abolition in 1776.

Chapter 6 is concerned with the reorganization of the judiciary, which took place in the 18 century.

Conclusion: The 18th century was an important milestone in the development of criminal law, during which the codification and the foundation of modern criminal law was established.

